

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 1, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-34519 – EXTENSION OF TIME – SITE DEVELOPMENT**

**PLAN REVIEW – APPLICANT: DR MCMILLIN - OWNER: DIAMOND SPRINGS  
APARTMENTS, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. This Site Development Plan Review (SDR-20149) shall expire on May 16, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to all conditions of approval of Site Development Plan Review (SDR-20149) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The subject site is currently undeveloped with a previously approved Site Development Plan Review (SDR-20149) for a proposed 11,110 square-foot Office building on the east side of 6<sup>th</sup> Street, approximately 335 feet south of St. Louis Avenue. Since the original approval, no permits have been issued for the project, nor have there been any Code Enforcement violations processed for the parcel. There has been no new development or changes in land use in the surrounding area. The applicant is requesting a two-year Extension of Time, as they have not progressed to a stage in the project to apply for building permits. Staff is recommending approval.

It is noted that there are two (2) related Extension of Times (EOT-34518 and EOT-34520) that will be heard concurrently with this application.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/16/07	The City Council approved a request for a Site Development Plan Review (SDR-20149) for a proposed 11,110 square-foot Office Building on 0.69 acres on the east side of 6 <sup>th</sup> Street, 335 feet south of St. Louis Avenue. The Planning Commission recommended approval on 04/12/07.
05/16/07	The City Council approved a request to amend a portion of the Southeast Sector Plan of the Master Plan (GPA-20150) from PF (Public Facilities) to O (Office) on 0.69 acres on the east side of 6 <sup>th</sup> Street, 335 feet south of St. Louis Avenue. The Planning Commission recommended approval on 04/12/07.
05/16/07	The City Council approved a request for a Rezoning (ZON-20151) from C-V (Civic) to O (Office) on 0.69 acres on the east side of 6 <sup>th</sup> Street, 335 feet south of St. Louis Avenue. The Planning Commission recommended approval on 04/12/07.
05/16/07	The City Council approved a request for a Variance (VAR-20152) to allow a two-story, 35-foot high Office Building 15 feet from residential property where Residential Adjacency Standards require 105 feet on 0.69 acres on the east side of 6 <sup>th</sup> Street, 335 feet south of St. Louis Avenue. The Planning Commission recommended approval on 04/12/07.
<b><i>Related Building Permits/Business Licenses</i></b>	
There have been no building permits or business licenses issued for the subject site.	

<b><i>Pre-Application Meeting</i></b>
A pre-application meeting is not required for this type of application, nor was one held.
<b><i>Neighborhood Meeting</i></b>
A neighborhood meeting is not required for this type of application, nor was one held.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.69

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped Land-Proposed Office Building	O (Office)	C-V (Civic) with a Resolution of Intent to O (Office)
North	Church	PF (Public Facilities)	C-V (Civic)
South	Undeveloped Land-Proposed Mixed-Use Development	SC (Service Commercial)	R-1 (Single Family Residential)
East	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
Beverly Green Southridge Plan	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (175 feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## ANALYSIS

This is the first request for an Extension of Time of a previously approved Site Development Plan Review (SDR-20149) for an 11,110 square-foot Office Building located on the east side of 6<sup>th</sup> Street, 335 feet south of St. Louis Avenue. Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on site, unless otherwise specified in connection with its approval.

## **FINDINGS**

The Site Development Plan Review (SDR-20149) has not met the requirements outlined in Title 19.18.050, since no permits have been issued for the proposed project. No new development or changes in land use in the surrounding areas have occurred, nor is there any recent Code Enforcement violations cited for the subject property. The applicant is requesting a two-year extension of time, since they have not progressed to a stage in the project to apply for building permits. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval of Site Development Plan Review (SDR-20149) shall be required.

<b><u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u></b>	N/A
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<b><u>ASSEMBLY DISTRICT</u></b>	N/A
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<b><u>SENATE DISTRICT</u></b>	N/A
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<b><u>NOTICES MAILED</u></b>	N/A
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<b><u>APPROVALS</u></b>	0
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<b><u>PROTESTS</u></b>	0
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